

REMARKS

The Office Action dated May 25, 2004 (Paper No. 20) has been carefully reviewed. Reconsideration of the grounds of rejection is respectfully requested in view of the remarks herein.

Summary of the Office Action

Claims 16-24 and 27-43 are rejected under 35 U.S.C. § 102(e) as being anticipated by Teshima [US 6,272,470]. Claims 25-26 are rejected under 35 USC § 103(a) as being unpatentable over Teshima in view of Ballantyne et al. [US 5,867,821].

Rejection of claims 16-24 and 27-43

Claims 16-24. Independent claim 16 is rejected as anticipated by Teshima. “To anticipate a claim, a reference must teach every element of the claim.” MPEP 2131. Teshima fails to teach every element of claim 16. Teshima fails to disclose, for example, the recited “removable medium recording station.”

In rejecting claim 16, the examiner identifies item “13” in Figure 2 as the recited “removable medium recording station.” Specifically with respect to item “13,” Teshima discloses:

[a]s the patient card input/output apparatus 13, an IC card input/output apparatus, optical card input/output apparatus, magnetic card input/output apparatus, RAM card input/output apparatus, magneto-optical disk input/output apparatus, mini-disk (MD) input/output apparatus, portable disk input/output apparatus, floppy disk (FDD) input/output apparatus, cassette streamer input/output apparatus, digital video disk input/output apparatus, *or* CD-ROM input/output apparatus is used in combination with an associated card interface.

(Col. 7, lines 58-67)(emphasis added).

The “peripheral-type removable medium recording station” is recited in claim 16 as having (1) a “first storage device capable of initially storing medical image data received from the medical system on a nonremovable storage medium,” and (2) a “second storage device capable of storing medical image data on a first removable storage medium;” and involved in, among other things, (3) “converting the medical image data [received . . . and transmitted in a first format] into a second format,” wherein (4) “the first format and the nonremovable storage medium are compatible with the technologies implemented by the medical system.”

Teshima’s patient card input/output apparatus 13 cannot even arguably be construed to satisfy at least the claimed features (1)-(4) recited above. For example, the recited “removable medium recording station” has “a first storage device” and “a second storage device” while Teshima’s apparatus 13 has only a single storage apparatus as indicated by the listing of the storage devices in the alternative (see col. 7, lines 58-67 (reproduced above): “. . . digital video disk input/output apparatus, *or* CD-ROM input/output apparatus . . .”). Further, the storage device of Teshima’s apparatus 13 is not used for “initially storing medical image data received from the medical system on a *non-removable storage* medium.” Apparatus 13 pertains solely to removable media. Moreover, apparatus 13 is not capable of “converting the medical image data [received . . . and transmitted in a first format] into a second format” as recited.

The Examiner also states in rejecting claim 16 that “the prior art provides for utilization of new storage technology.” While it is arguable that Teshima addresses the utilization of “new storage technology,” this disclosure in and of itself is insufficient for purposes of 35 USC § 102. Teshima must disclose the exact method claimed for proper rejection under § 102; “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art.” MPEP 2131. Teshima does not disclose the method

as claimed for at least the reason that Teshima does not disclose the recited “removable medium recording station” as outlined above. Details of claim 16 cannot be dismissed by the general statement that “the prior art method provides for utilization of new storage technology.”

Similarly, the Examiner makes the general statements that

Teshima also teaches medical image data in a first format (see ‘conversion’) and storing this data (see col. 3, lines 53-64). Stored data is converted into a second format (see col. 5, lines 51-57). The original format is compatible with the technologies implemented by the medical system (see col. 7, lines 5-17).

Again, even if the examiner is correct that Teshima discloses this information, and applicant does not admit that it does, this disclosure is not sufficient, even if accurate, for proper rejection under § 102 -- Teshima must disclose *each and every feature of claim 16 as recited*. As indicated above, Teshima does not disclose the recited “removable medium recording station” and accordingly does not disclose the recited “storing” and “converting” associated therewith.

Further, in rejecting claim 16, the examiner has identified item “12” in Figure 2 as corresponding with the recited “medical scanner.” Applicants respectfully assert that the image scanner identified by the examiner is a standard document scanner typically associated with computer systems and does not correspond to the recited “medical scanner.”

Applicants respectfully assert that dependent claims 17-24 are allowable at least because of their dependence on claim 16 and the reasons set forth above. Withdrawal of the rejections for claims 16-24 is respectfully requested.

Claims 29-34. Claim 29 recites “a removable medium recording station” having “a first storage device capable of initially storing medical image data received from said medical scanner on a non-removable storage medium,” and “a second storage device capable of storing data on a first removable storage medium.” As explained above, the recited “removable medium

recording station” has “a first storage device” and “a second storage device” while Teshima’s apparatus 13 has only a single storage apparatus as indicated by the listing of the storage devices in the alternative (see col. 7, lines 58-67 (reproduced above): “. . . digital video disk input/output apparatus, *or* CD-ROM input/output apparatus . . .”). Further, the storage device of Teshima’s apparatus 13 is not used for “initially storing medical image data received from the medical scanner on a *non-removable storage* medium.” Apparatus 13 pertains solely to removable media. The examiner incorrectly identifies the document scanner for the recited “medical scanner” and makes the same insufficient general statements in rejecting claim 29 as was done in rejecting claim 16. Accordingly, the arguments made by applicants addressing these issues also apply to claim 29. For at least these reasons, Teshima does not anticipate claim 29. Applicants respectfully assert that dependent claims 30-34 are allowable at least because of their dependence on claim 29 and the reasons previously set forth. Withdrawal of the rejections for claims 29-34 is respectfully requested.

Claims 35-43. Claim 35 recites, among other things, “a first storage device capable of initially storing medical image data received in a first format on a nonremovable storage medium” and “a second storage device capable of storing medical image data in a second format on a first removable storage medium.” Again, the recited “removable medium recording station” has “a first storage device” and “a second storage device” while Teshima’s apparatus 13 has only a single storage apparatus as indicated by the listing of the storage devices in the alternative (see col. 7, lines 58-67 (reproduced above): “. . . digital video disk input/output apparatus, *or* CD-ROM input/output apparatus . . .”). Further, the storage device of Teshima’s apparatus 13 is not used for “initially storing medical image data received from the medical system on a *non-removable storage* medium,” apparatus 13 pertains solely to removable media. To the extent

that the examiner is relying on the identification of the document scanner and the general statements made in rejecting claim 16 to reject claim 35, applicants' arguments outlined above with respect to these issues also apply to claim 35. For at least these reasons, Teshima does not anticipate claim 35. Applicants respectfully assert that dependent claims 36-43 are allowable at least because of their dependence on claim 35 and the reasons previously set forth. Withdrawal of the rejections for claims 35-43 is respectfully requested.

Rejection of claims 25-26

Claims 25-26 are rejected under 35 USC 103(a) as being unpatentable over Teshima in view of Ballantyne et al. [US 5,867,821]. As indicated above, Teshima does not disclose at least the recited "removable medium recording station." Ballentyne does not remedy this deficiency. Accordingly, the combination of Teshima and Ballentyne does not disclose or suggest the invention as recited by claims 25-26. Withdrawal of the 103 rejections of these claims is respectfully requested.

New claims 44-78. New claims 44-78 are added and are allowable over the cited art at least for the reason that they depend from one of the independent claims 16, 29, and 35, and the reasons previously set forth above.

CONCLUSION

Applicants respectfully submit all pending claims are in condition for allowance. An early notice to this effect is earnestly solicited. Should there be any questions regarding the application, the Examiner is invited to contact the undersigned representative to expedite prosecution. If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time

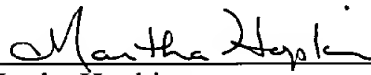
under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested, and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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By:


Martha Hopkins
Reg. No. 46,277

CUSTOMER NO.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave.
Washington, D.C. 20004
202-739-5198